

he cites that under California law, second degree murder of a law enforcement officer, without special circumstances, is punishable by minimum of 25 years to life with the possibility of parole, while second degree murder under the Federal murder statute is "any term of years or life." In addition, Mr. Cooley cites that local prosecutors are more experienced at prosecuting murder cases and are better at the job than Federal prosecutors.

Finally, Mr. Cooley cites the "Rule of Speciality" in the U.S.-Mexico Extradition Treaty, which states that individuals extradited from one country to another can only be prosecuted under the charges included in the extradition request. Therefore, he argues that since H.R. 2363 provides "exclusive jurisdiction" to the Federal Government in such cases, that California will be barred from prosecuting a cop-killer who flees the country.

Although I strongly disagree with Mr. Cooley's interpretation of "exclusive jurisdiction," I have reached out to him and local law enforcement officers for suggestions on how to improve the bill. Based on their feedback, I, along with Mr. SCHIFF, am introducing the Justice for Peace Officers Act to build on the provisions of H.R. 2363 by enhancing the punishment for cop-killers and those who aid them, providing priority to State/local prosecutors in such cases, making clear that the bill does not supersede State/local jurisdiction and urging the renegotiation of the U.S.-Mexico Extradition Treaty to resolve the death penalty/life imprisonment roadblock.

The Justice for Peace Officers Act, like the Peace Officer Justice Act, makes it a Federal crime to kill a peace officer and flee the country. And like H.R. 2363, the Justice for Peace Officers Act makes the crime for first degree murder punishable by the death penalty or life imprisonment. The Justice for Peace Officers Act goes a step further by making murder in the second degree punishable by a mandatory minimum of 30 years in prison or life imprisonment. Under the current "federal murder statute" (18 U.S.C. 1111), the punishment for second degree murder is any term of years or life imprisonment. This change ensures that persons guilty of killing a peace officer under second degree murder and fleeing the country will face a significant minimum number of years under lock and key.

The Justice for Peace Officers Act also raises the penalty for those who help cowardly cop-killers flee the country to avoid prosecution. Under the current "accessory after the fact" federal statute (18 U.S.C. 3), the punishment for helping suspects, facing the death penalty or life imprisonment, to avoid capture is a maximum of 15 years in prison. The Justice for Peace Officers Act ensures that such aiders and abettors would serve a mandatory minimum sentence of 15 years behind bars.

Let me be clear that it will always be my preference for State and local prosecutors to go after cop killers—police keep our local communities safe and local prosecutors should have primary jurisdiction over these cases. That is why I included language in the Justice for Peace Officers Act to give priority to State/local prosecutors to pursue a suspect of killing a peace officer and fleeing the country. Specifically, the Attorney General, the Deputy Attorney General, the Associate Attorney General, or an Assistant Attorney General, in consultation with the appropriate State/local prosecutors, must provide formal ap-

proval in writing to pursue such a case. This gives State/local and Federal officials the opportunity to confer on the best course of action, and gives preference to State/local officials since no action can be taken on the Federal level without the additional step of obtaining formal written permission. This language is based on a provision in the current "flight to avoid prosecution" Federal statute (18 U.S.C. 1073). Also, the Justice for Peace Officers Act includes language making clear that nothing in the bill would supersede the authority of State/local prosecutors.

In addition, the penalty under the Justice for Peace Officers Act would be a consecutive sentence to any other State or Federal punishment. Since State/local authorities have first priority to prosecute and sentence such a suspect, the provision would ensure that any punishment on the local/State level would be enhanced by an additional Federal sentence.

Finally, we firmly believe that the Bush Administration should use all tools available to bring about a change in Mexico's policy regarding the extradition of nationals that will allow these brutal killers to face justice in the U.S. That is why we included a provision in the Justice for Peace Officers Act directing the Secretary of State to enter into formal discussions with the Mexican government on the U.S.-Mexico Extradition Treaty. The provision also directs the Secretary of State to urge the Mexican Government to use all available actions to persuade the Mexican Supreme Court to reconsider its October 2001 ruling so that the possibility of life imprisonment will not have an effect on the timely extradition of criminal suspects from Mexico to the U.S.

Mr. Speaker, I hope that the Justice for Peace Officers Act will signal to Mexico and any other country that refuses to extradite a fugitive cop-killer that the Congress of the United States considers this a crime against America and will bring the full resources of the Federal Government to bear to seek justice. I urge all of my colleagues to co-sponsor the Justice for Peace Officers Act.

#### VALLEJO FIGHTING BACK PARTNERSHIP CELEBRATES FIFTIETH ANNIVERSARY

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 27, 2005*

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to invite my colleagues to join me in congratulating Fighting Back Partnership of Vallejo, CA, as it celebrates its 15th anniversary.

The relationship between a city and its residents is a vital and interdependent one, deriving its strength from the quantity and quality of civic involvement and public spirit generated by such organizations as Vallejo Fighting Back Partnership.

Concerned citizens and members of the Vallejo City Council expressed alarm at the increasing use of drugs and alcohol during the late 1980's and formed a Red Ribbon Committee to address this problem and to explore programs and services that could potentially result in a meaningful reduction of substance abuse and related crimes and violence. The city of Vallejo successfully applied for a grant

from the Robert Wood Johnson Foundation to unite the community to comprehensively address substance abuse as one of 15 Fighting Back Partnerships nationwide.

Vallejo Fighting Back Partnership, an independent non-profit coalition, developed a continuum of care approach including education, prevention, treatment, and after-care services. The Partnership, in an effort to adhere to its mission, has organized more than 50 partners and thousands of residents including support from city, county, State and Federal agencies, private non-profits, corporate and foundation donors, who emanate from an array of diverse backgrounds including law enforcement, health care, social services, government, public education, treatment facilities, neighborhood organizations, business, criminal justice, and faith-based groups.

The Partnership began to make noticeable and measurable reductions in substance abuse related crimes, primarily on the strength of renewed funding from the Johnson Foundation in 1995 and a more focused strategic plan that endeavored to create positive outcomes in three key areas:

Neighborhoods, Treatment, and Youth and Families. Local data obtained between 1995 and 2000 validated the successful outcomes of Fighting Back's mission of reducing substance abuse and related mayhem in the community, enabling the Partnership to be chosen as 2001 Outstanding Coalition by the Community Anti-Drug Coalitions of America, CADCA, which was presented to Fighting Back Partnership of Vallejo on December 14, 2001, in Washington, DC.

After 12 years of funding from the Johnson Foundation ended in 2002, totaling over \$6 million, Fighting Back Partnership continues to be a dynamic coalition working to reduce substance abuse through innovative and successful programs thanks to its dedicated staff and board of directors. Today, Fighting Back provides counseling and services to families through its three Family Resource Centers, employs science-based educational programs in cooperation with the Vallejo School District, develops leadership skills in young people through its Youth Partnership, and unites residents to improve deteriorating neighborhoods through its Neighborhood Revitalization Program.

I know I speak for all Members of Congress when I congratulate Fighting Back Partnership for its 15-year commitment to decreasing substance abuse and related crimes thereby improving the quality of life for all Vallejoans, and wish its board of directors, staff, and community partners many more years of success.

#### INTRODUCING A BI-PARTISAN RESOLUTION IN SUPPORT OF AN ALZHEIMER'S SEMI-POSTAL STAMP

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 27, 2005*

Mr. MARKEY. Mr. Speaker, today I rise to introduce a resolution urging the United States Postal Service to act on a pending petition for an Alzheimer's Semi-Postal Stamp. I am joined by Co-chair of the Congressional Alzheimer's Taskforce, Representative CHRISTOPHER SMITH, Democratic Leader NANCY